

REMARKS

In view of the foregoing amendments and the following remarks, reconsideration of the present patent application is respectfully requested.

Independent claims 1, 11 and 15 have been amended to more clearly define the subject matter of the present invention. In addition, to more clearly distinguish the present invention from the cited references, Applicants define the thin base as being made from fabric (Page 2, line 15 of the substitute specification submitted on February 24, 2003). The amendments introduce no new matter and are supported by the specification of the present invention as originally filed.

Rejection under 35 U.S.C. §102

Claims 1-3, 5-13 and 15 are rejected under 35 U. S. C. 102(b) as being anticipated by Weber *et al.*, (US 526,512) 1894.

As to independent Claims 1, 11 and 15, all the relevant claimed sheets are limited in that they are made from fabric having a thickness from 0.2 mm to 0.3 mm, a water-absorbing ability, a humidity-maintaining ability, and a natural decomposing ability. In contrast, the relevant contents disclosed in the cited references are fibrous material (Weber *et al.*), a water absorption polymer with a water soluble sheet (Sakete *et al.*) and paper with water swellable polymer (Young *et al.*). However, since the claimed material of the present application has been limited in to a material made from a fabric with water-absorbing ability, humidity-maintaining ability, and natural decomposing ability therein, the subject matter of the present invention is different and not anticipated by the cited references.

Further, the mat disclosed by Weber *et al.* and the fertilization of the soil is that the mat incorporates some fertilizers which are attached thereon. The mat in Weber *et al* does not itself act as a fertilizer. Further, the use of additional fertilizers increases the cost of preparing the mat. Contrarily, the natural decomposable ability of the fabric base disclosed by the present invention results in that the whole base can be completely decomposed to improve the soil fertility by itself without additional fertilizers. Also, since the disclosed fabric base is completely decomposable, the problems associated with transportation and/or disposal charges may be avoided.

Therefore, the claimed thin fabric base with natural decomposing ability is good for protecting the environment, reducing costs, and making full use of the material resources.

A rejection under 35 U.S.C. §102(b) is warranted only when the cited reference identically discloses the subject matter of the invention as claimed. In re Bond, 15 USPQ2d 1566 (Fed. Cir. 1990).

Accordingly, Applicants respectfully request that the 35 U.S.C. 102(b) rejection with respect to claims 1, 11, and 15 be withdrawn.

Claims 3, 4, 7, 13, and 14 have been deleted and Applicants respectfully request that the 35 U.S.C. 102(b) with respect to claims 3, 4, 7, 13, and 14 be withdrawn.

Claims 2, 5, 6, 8-10, 12, are dependent on independent Claims 1 and 11. Applicants respectfully request withdrawal of the 35 U.S.C. 102(b) rejection with respect to claims 2, 5, 6, 8-10 and 12 upon withdrawal of the rejection concerning claims 1 and 11.

Rejection under 35 U.S.C. §103(a):

Claims 4 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Weber et al.* (US 526,512) 1894, in view of *Young et al.* (GB 2,270,453) 1992.

As alleged by the Examiner, *Young et al.* teaches flexible perforated substrate (paper or card, in Claim 5) with a thickness of 0.02 – 2.0 mm, but the present application is a fabric base with a thickness of 0.2 – 0.3 mm. Thus the subject matter of the present invention is different from that disclosed in *Young*.

It's known to one skilled in the art that to allow seed pockets, a mat should be thick enough to hold the seeds, therefore the thickness is presumably an important determinant. However, the determinant is not the thickness of the mat, it should be the support strength of the mat. Therefore, since the original support strengths of different materials are different from each other, to compare the used mats made from different materials by the thickness is unreasonable and meaningless. Further, Applicant's have limited the used material and the thickness of the material used to a fabric (a fabric, not just an ambiguous polymer) in the range of 0.2 – 0.3 mm. It's believed that the above limitation would assist in identifying the patentable features of the present application. In addition, please be advised that the used materials of the cited references (*Weber et al.* and *Young et al.*) are fibrous materials and papers, wherein, the present application claims a fabric material. Therefore, based on the foregoing, *Weber et al* in view of *Young et al* does not suggest or teach a thin fabric material having a support strength that completely decomposes to improve soil fertility.

Furthermore, Applicant's stress the advantages of the present invention's naturally decomposable fabric. The advantages include 1) weed prevention efficiency (i.e. the thin base is made of a light-blocking material), 2) lower cost (i.e. the thin base has less

thickness, no additional fertilizers are needed, no unnecessary waste of seeds happens while spreading for sowing, and no thinning is necessary), 3) lower environmental pollution (i.e. the thin base is made of a naturally decomposable material) 4) sustainable management of land resources (i.e. the plurality of the concaves are designed properly to have a specific distance interval between plants), and 5) better application scopes (i.e. thin base (i.e. made from naturally decomposable materials that have water-absorbing ability and humidity maintaining abilities).

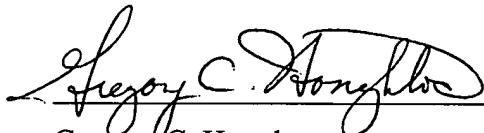
Based on the foregoing Applicants respectfully request that the 35 U.S.C. 103(a) rejection with respect to claims 4 and 14 be withdrawn.

Conclusion

In view of the remarks and the amendments, further and favorable consideration of the present application and the allowance of all pending claims are respectfully requested. The Examiner is also invited to contact the undersigned should the Examiner believe that such contact would expedite prosecution of the present application.

It is believed that no fee is required in connection with the filing of the present Amendment. However, if any fee is required, the Commissioner is authorized to charge any such fees or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,



Gregory C. Houghton
Reg. No. 47,666
Attorney for Applicant(s)

DATE: February 23, 2004
MATHEWS, COLLINS, SHEPHERD & McKAY, P.A.
100 Thanet Circle, Suite 306
Princeton, New Jersey 08540-3662
Telephone: (609) 924-8555
Telecopier: (609) 924-3036